THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D. APPA RAO

Taken up Writ Petition No.13070 of 2007

Date: 16-07-2007

Between:

Rabindra Nath Pati

… Petitioner/s

And

The Station House Officer,
Nacharam Police Station,
Ranga Reddy District and another.

… Respondent/s

THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D. APPA RAO

Taken up Writ Petition No.13070 of 2007

ORAL ORDER: (per the Hon'ble Sri Justice D. Appa Rao)

Heard learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a telegram, dated 19-06-2007, issued by one Rabindranath Pati, alleging that the Station House Officer, Nacharam Police Station, Ranga Reddy District, has illegally detained Sri Nrusingh Charan Mishra and apprehending danger to his life.

3. The Inspector of Police, Nacharam Police Station, filed a counter affidavit, *inter alia,* stating that the alleged detenu was a close associate of the accused in Crime No.126 of 2007, registered under Sections 420, 406 of Indian Penal Code of first respondent Police Station and during the course of interrogation, he was produced before the Tahsildar-cum-Mandal Executive Magistrate, Uppal, who inturn, recorded his statement, wherein the alleged detenu has categorically stated that except asking him to participate in the enquiry by the first respondent police, he was never illegally detained by the police and

has been moving freely by attending to his plumbing work. The statement recorded by the learned Mandal Executive Magistrate along with the counter affidavit filed by the Inspector of Police, Nacharam Police Station, was made part of the record. In fact, from the counter affidavit, it was also revealed that the alleged detenu appeared before the first respondent police along with the petitioner and his Advocate, who undertook to produce the alleged detenu whenever he was needed.

4. Under the above circumstances, we do not see any ground whatsoever to proceed further in the matter and the writ petition is liable to be dismissed.

5. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

_____

JUSTICE D.S.R.VARMA

_____

JUSTICE D. APPA RAO

16-07-2007.
Msr.

THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D. APPA RAO

Taken up Writ Petition No.13070 of 2007

16-07-2007
(Msr)